

The 6th July, 1971

No. 4799-5Lab-1/71/21950. —In exercise of the powers conferred by Regulation 76 of the employees' State Insurance (General) Regulations, 1950, the Governor of Haryana is pleased to appoint the Subordinate Judge, Rohtak to be the Chairman of the Medical Appeal Tribunal, at Rohtak for the whole of the State of Haryana for the purposes Regulation 74 of the said Regulations, and to direct that the said Medical Appeal Tribunal shall be assisted by assessors to be selected by medical Appeal Tribunal from the following persons:—

1. One or more medical experts in the Branch concerned from among the Specialists in the Medical College, Rohtak.
2. One or more officials from among: -
 1. Dr. R. K. Jain. Certifying Surgeon and Deputy Chief Inspector of Factories, Haryana.
 2. Shri D. A. Karan. Chief Conciliation Officer-cum Joint Labour Commissioner, Haryana.
 3. Shri M. K. Jain. Deputy Labour Commissioner, Haryana.
3. One or more trade Unionist from among the following: -
 1. Shri B. D. Gupta. M.L.A., Bhiwani
 2. Shri G. C. Joshi. General Secretary. INTUC, Haryana, Yamuna-nagar.
 3. Shri Makhan Singh. General Secretary. IATUC, Haryana.

2. Orders regarding fees and allowances payable to the Chairman, assessors and the staff of the Medical Tribunal will be issued separately.

B. L. AHUJA.

Commissioner for Labour and Employment, and Secy.

LABOUR DEPARTMENT

The 5th/8th July, 1971

No. 7210-4Lab-71/22029. —In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and management of M/s Chemical Construction Co., Faridabad.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 182 of 1970

Between

THE WORKMEN of FARIDABAD ENGINEERING WORKERS UNION (REGD).
FARIDABAD AND THE MANAGEMENT OF M/S CHEMICAL CONSTRUCTION
CO., FARIDABAD.

1. Shri Pasam Singh, for the workmen.
2. Shri S.L. Gupta, for the management.

AWARD

The Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication,—*vide* Government Gazette Notification No. 1D/PD/547-A/29850, dated 23rd September, 1970:—

“Whether the termination of services of S. Shri Shri Ram, P. U. Krishna, Tara Chand, M. Kuttappan, Kesri Lal, Rajinder Singh, P. K. Vishwas, Gajraj Singh and Radhe Krishna was justified and in order. If not; to what relief are they entitled?”

On receipt of the reference usual notices were issued to the parties in response to which a statement of claim was filed on behalf of the workmen and the management filed their written statement. The workmen assert that the management have wrongfully terminated their services. The management in their written statement raised a number of preliminary objections. On merits their submission is that the workman became surplus and so their services were terminated with effect from 26th May, 1970. The other workmen went on strike on this account. This strike was withdrawn on 26th June, 1970 and a settlement was arrived at between the parties in which it was agreed that the retrenchment workmen would be paid ex-gratia wages for a period of one month 20 days over and above their legal dues. It is alleged that the management have made the necessary payments.

The learned representative of the management made a statement on 20th April, 1971 that he did not press the preliminary objections. So that following issues on merits need decision :

1. Whether the claimants became surplus and they have been validly retrenched from service ?
2. Whether the present reference is barred by the reason of settlement dated 26th June, 1970 ?

An opportunity was given to the parties to produce evidence in support of their respective contention. On the date fixed for the evidence, Shri Pasham Singh appeared on behalf of the workmen and requested for an adjournment. As he had no instructions to proceed further with the case. The workmen were also absent. The request for adjournment was not considered reasonable because no reason was given for the absence of the workmen the management were called upon to produce their evidence. Shri Arvind, W rks Manager has appeared as M. W. I. and has stated that the workmen named in the order of reference were rendered surplus by reason of shortage of material. He has further stated that a settlement which is marked Ex. M. W. 1/1 was arrived at between the parties. The vouchers with regard to the payment made to the workmen have also been proved by the witness. There is no evidence in rebuttal. Under these circumstances it must be held that the termination of services of the workmen was justified and in order and they are also bound by the terms of a settlement marked Ex. M. W. 1/1 and are not entitled to any relief. I give my award accordingly. No order as to costs.

The 18th June, 1971.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak

No. 1131, dated Rohtak, the 28th June, 1971.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under Section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 7212-4-Lab-71/22031.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s Globe Steels, Mathura Road, Ballagbarh :

BEFORE SHRI P.N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 190 of 1970

between

SHRI JAGAT SINGH, WORKMAN C/O FARIDABAD ENGINEERING WORKERS UNION, FARIDABAD
AND THE MANAGEMENT OF M/S GLOBE STEELS, MATHURA ROAD, BALLABGARH

Present:—

Shri Darshan Singh, for the workman.

Shri H.R. Dua, for the management.

AWARD

Shri Jagat Singh was working as a Moulder in M/s Globe Steel, Ballabgarh. His services were terminated due to closure of the factory on 10th February, 1969. He is aggrieved by reason of termination of the services and this gave rise to an industrial dispute. Accordingly the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication,—vide Government Gazetted Notification No. 1D/FD/53-B-70, 31121, dated 6th October, 1970.

Whether the termination of services of Shri Jagat Singh was justified and in order. If not; to what relief is he entitled ?

On receipt of the reference usual notices were issued to the parties in response to which a statement of claim was filed on behalf of the workman and the management filed their written statement. On behalf of the workman it is pleaded that he was a permanent employer and was getting Rs 10-50 per working day and as per terms of his letter of appointment his services could be terminated only after giving him 3 months notice. It is pleaded that his services were terminated,—vide the letter dated 10th February, 1969 without giving him any notice or retrenchment compensation so the termination of the services was not legal and is entitled to be re-instated with continuity of service and full back wages.

The management plead that the factory had to be closed w.e.f. 10th February, 1969 for reasons beyond their control and the service of all the workmen including the workman concerned, were terminated due to the closure of the factory by one single order which affected more than 100 workmen and since the matter regarding the validity of the retrenchment of the workmen and closure of establishment falls under item No. 10 of the 3rd Schedule of the Industrial Disputes Act, 1947, the Industrial Tribunal alone has jurisdiction to adjudicate upon the validity of the order of the management terminating the services of the workmen. It is, further pleaded that Shri Jagat Singh was working in the foundry and the foundry was also closed with the closure of the factory and it has not yet re-started, therefore, the management have no suitable job in which the workman can be absorbed. The pleadings of the parties gave rise to the following issues :

- (1) Whether the services of the workman stood terminated because of the closure of the factory w.e.f. 10th February, 1969 ?
- (2) If issue No. 1 is proved ; whether this Court has jurisdiction to adjudicate upon the validity or propriety of the closure of the respondent factory ?
- (3) If the above 2 issues are found in favour of the workman whether the termination of services of Shri Jagat Singh was justified and in order. If not; to what relief is he entitled ?

Issue No. 1

The workman admits that the factory was closed w.e.f. 10th February, 1969. His only grievance is that the management did not give him the requisite notice or retrenchment compensation. The question as to whether the validity of the order of the management terminating the services of the workman can be adjudicated by this Court would be decided under issue No. 2. So far as this issue is concerned, it must be held that the services of the workman were terminated by reason of the closure of the respondent factory. I find this issue in favour of the management.

Issue No. 2

The representative of the workman admitted in his statement before the issues that more than 100 workman were employed in the respondent at the time of its closure. It is also not denied that the services of all the workmen stood terminated by reason of the closure of the factory by one single order. If, therefore, the workmen were aggrieved because from their point of view either their retrenchment or the closure of the factory was not justified then they should have got this dispute referred for adjudication to the Industrial Tribunal and not to this Court because under item No. 10 of the 3rd Schedule the matter with regard to the retrenchment of the workman and closure of the establishment can only be decided by the Industrial Tribunal and not by the Labour Court and under the proviso to clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 the Government is empowered to refer a dispute which relates to any matter specified in 3rd schedule to the Labour Court only if the number of workmen involved does not exceed one hundred. In the present case we find that the number of workmen involved were more than 100. Hence the question with regard to the validity of the retrenchment can not be adjudicated by this Court. I find this issue also in favour of the management.

Issue No. 3

In view of my findings on issue No. 2 this issue does not arise. The workman can not be given any relief by this Court. I give my award accordingly. No order as to costs.

P.N. THUKRAL,
Presiding Officer,

Labour Court, Haryana, Rohtak.

Dated 21st June, 1971

No. 1133, dated Rohtak, the 28th June, 1971

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P.N. THUKRAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 7202-4Lab-71/22033.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s Shift Incharge Engineer, Thermal Power House, Faridabad.

BEFORE SHRI P.N. THUKRAL, PRESIDING OFFICER, LABOUR COURT,
HARYANA, ROHTAK

Reference No. 176 of 1970

between

SHRI RAJA RAM WORKMAN C/O PRESIDENT, GENERAL LABOUR UNION, IK/16, N.I.T.
FARIDABAD, AND THE SHIFT INCHARGE ENGINEER, THERMAL POWER HOUSE,
FARIDABAD

Present.—

Shri H.L. Kapoor, for the workmen.

Shri Pritam Lal, for the management.

AWARD

Shri Raja Ram was employed by the Shift Incharge Engineer, Thermal Power House, Faridabad, on work-charged basis on 16th July, 1968. His services were terminated on account of his alleged absence. The workman is aggrieved by reason of the termination of his services and this gave rise to an industrial dispute. Accordingly the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication. — *vide* Government Gazette notification No. ID/FD/542-B/29805, dated 23rd September, 1970:

Whether the termination of services of Shri Raja Ram was justified and in order? If not, to what relief is he entitled?

On receipt of the reference usual notices were issued to the parties in response to which a statement of claim was filed on behalf of the workman and the management filed their written statement. The plea of the respondent is that the workman was employed on work charged basis in a purely temporary capacity and he absented himself from duty with effect from 12th May, 1970 without any intimation and, therefore, he automatically lost his service. The case of the workman is that he fell ill and was, therefore, not in a position to report for duty and he duly informed the employer. The pleadings of the parties gave rise to the following issues :—

- (1) Whether the applicant Shri Raja Ram was employed on work-charged basis and as a temporary workman on 16th July 1968?
- (2) Whether the applicant absented himself from duty with effect from 12th May, 1970, without any intimation and, therefore, automatically lost his service?
- (3) Whether the applicant was ill and had informed the respondent of the illness without any loss of time?
- (4) Whether the termination of services of Shri Raja Ram was justified and in order? If not, to what relief is he entitled?

Issue No. 1.—It is proved by the evidence of the management that the workman was appointed on work-charged basis in a purely temporary capacity with effect from 16th July, 1968. The workman has led no evidence in rebuttal. I find this issue in favour of the management.

Issue No. 2 and 3.—These issues can be decided together. The workman admits in his evidence that his younger brother was to be married and, therefore, he went on leave from 8th May, 1970 to 12th May, 1970. He says that he fell ill and gave a telegram to this effect on 13th May, 1970 and on 14th May, 1970, he sent an application for leave supported by a medical certificate. The workman has, however, not

produced the copy of the medical certificate nor has he produced the Doctor who gave him the medical certificate. The workman states that he reported for duty only on 20th May, 1970, but the Leave Reserve Engineer did not permit him to resume duty.

It is not possible to accept the uncorroborated version of the workman unless the medical certificate sent by him is duly proved by the doctor who treated the workman and gave this medical certificate. The management were justified in treating the workman absent from duty without leave, and hence the termination of his services cannot be said to be unjustified.

In view of my findings above, the workman is not entitled to any relief. I give my award accordingly. No order as to costs.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

Dated 22nd June, 1971

No. 1127, dated 28th June, 1971

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

No. 7211-4Lab-71/22035.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s Escorts Plant II, 19/6, M. Road, Faridabad.

**BEFORE SHRI P.N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA
ROHTAK**

Reference No. 15 of 1971

Between

Shri Tek Chand workman C/o The President, General Labour Union (Regd), IK/16, N.I.T. Faridabad, and the management of M/s Escorts Plant II, 19/6, M. Road, Faridabad.

Present.—

Shri Roshan Lal, for the workman.

Shri P.C. Aggarwal, for the management.

AWARD

Shri Tek Chand was serving as a polisher in M/s Escorts Plant II, 19/6, M. Road, Faridabad. He is aggrieved by reason of the termination of services and this gave rise to an industrial dispute. Accordingly the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication.—*vide* Government Gazette notification No. ID/ED/205-C-70/2858, dated 21st January, 1971 :—

Whether the termination of services of Shri Tek Chand was justified and in order? If not, to what relief is he entitled?

On receipt of the reference usual notices were issued to the parties in response to which a statement of claim was filed on behalf of the workman and the management filed their written statement. The main plea of the management is that the services of the workman were not terminated by them and that he himself remained absent from duty from 21st July, 1970 to 1st August, 1970 without any intimation to the management and so his service automatically stood terminated and as such there was no industrial dispute between the parties as envisaged in the order of reference. The pleadings of the parties gave rise to the following issues :—

- (1) Whether there is no industrial dispute between the parties as envisaged under the Industrial Disputes Act, 1947?

- (2) Whether the workman remained absent from duty from 21st July, 1970 to 1st August, 1970 and automatically lost his lien ?
- (3) If the above issues are found in favour of the workman whether the termination of services of Shri Tek Chand was justified and in order? If not, to what relief is he entitled ?

Issue No. 2.—This is the main issue in this case and the decision of issue No. 1 would also depend upon decision on this issue. The workman in his evidence admits that he did not perform duty from 21st July, 1970 to 30th July, 1970. His plea is that he was ill and sent two applications through his father for grant of leave and when he got well he reported for duty on 31st July, 1970 and worked for about three hours and then he was called in the time office and asked to go away. He says that he gave his medical certificate Exhibit W.1 along with fitness certificate Exhibit W. 2 to Shri P.C. Aggarwal, Industrial Relation Officer, but Shri Aggarwal did not accept the certificate. The version of the management on the other hand is that no application regarding the alleged illness of the workman was received and after waiting for him for 10 days his service stood automatically terminated in accordance with the provision of the clause 16(4) of the Model Standing Orders and an intimation to this effect was sent to the workman, *vide* letter dated 1st August, 1970 copy Exhibit M.W. 3/4. The management have produced the original attendance card of the workman marked Exhibit M.1 which shows that he did not perform any duty from 21st July, 1970 onwards. The Time Keeper and Shri P.C. Aggarwal, Industrial Relation Officer of the respondent concern, have proved the entries in the attendance register as also the attendance card of the workman which proves that the workman did not attend to his duties after 21st July, 1970 onwards. Both the witnesses have affirmed that no application for leave on behalf of the workman was received by them. It is also denied that the workman reported for duty on 31st July, 1970 and did any work. It is denied that he produced any medical certificate regarding his alleged illness or his fitness certificate.

After carefully considering the evidence produced by the parties, I am of the opinion that the version of the workman is not correct. Surprisingly enough the fitness certificate Exhibit W.2 produced by the workman is dated 28th July, 1970, while according to the workman himself he was ill up to 30th July, 1970 and could report for duty only on 31st July, 1970. The workman also does not say that he submitted any medical certificate along with the previous application which are supposed to have been sent through his father. It is also not explained why the father of the workman did not obtain any receipt with regard to the application given by him. It would also be not out of place to point out that the story now set up in Court that the workman was ill and had sent two applications through his father and reported for duty on 31st July, 1970 and produced medical certificate as also the fitness certificate does not find any mention either in the demand notice or in the statement of claim filed in Court. This story has been set up for the first time during the course of evidence after the management had closed their case. There is absolutely no reason to doubt the version of the management and in my opinion it is satisfactorily proved that the workman remained absent from 31st July, 1970 onwards and, therefore, he automatically lost his lien and there is no termination of his service by the management. I find this issue in favour of the management.

In view of my decision on issue No. 2 issue No. 1 must also be decided in favour of the management and issue No. 3 does not arise and the workman is not entitled to any relief. I give my award accordingly. No order as to costs.

Dated 18th June, 1971

P.N. THUKRAL,

Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 1132, dated Rohtak, the 28th June, 1971

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P.N. THUKRAL,

Presiding Officer, Labour Court,
Rohtak.

No. 72014-Lab-71/22037.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s Mahalaxmi Industry, O/28, Industrial Area, Bahadurgarh (Rohtak).

BEFORE SHRI P.N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 174 of 1970

Between

SHRI RAJDHAR C/O BAHADURGARH POTTERIES AND GENERAL LABOUR UNION, BAHADURGARH AND THE MANAGEMENT OF M/S MAHALAXMI INDUSTRY O/28, INDUSTRIAL AREA BAHADURGARH (ROHTAK)

Present.---

Shri Sagar Ram Gupta, for the workman.
Shri D.C. Chadha, for the management.

AWARD

Shri Rajdhar was employed as a Weaver by M/s Mahalaxmi Industry O/28, Industrial Area, Bahadurgarh. His services were terminated because it is alleged that he spoilt a carpet by reason of his defective workmanship, with the result that the management have suffered a loss of Rs 350. The workman is aggrieved by reason of termination of his services and this gave rise to an industrial dispute. Accordingly the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 33-C of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication:—vide Government Gazette Notification No. ID RK 174-70/29793, dated 23rd September, 1970 :-

Whether the termination of services of Shri Rajdhar was justified and in order? If not, to what relief is he entitled

On receipt of the reference usual notices were issued to the parties in response to which a statement of claim was filed on behalf of the workman and the management filed their written statement. The management raised a preliminary objection regarding the validity of the constitution of the Court. Vide the order dated 2nd February, 1971, it was held that if the management wished to question the validity of the constitution of the Court then only course open to them was to approach the High Court and seek their remedy in that Court. As regards the merits the only issue which arose from the pleadings of the parties was precisely the same as in the order of reference. So the parties were directed to produce evidence in support of their respective contention. Shri Shamsher Singh, Partner of the respondent firm appeared on behalf of the management as a witness. In rebuttal the aggrieved workman Shri Rajdhar appeared as his own witness and produced Shri Nehal, a co-worker to corroborate his version that the management terminated his services without any reason what so ever. Shri Rajinder Singh Dahiya President of Bahadurgarh Potteries and General Labour Union, also supports the version of the workman and says that on 23rd June, 1970, the workman came to him and told him that the management had turned him out without any reason and so a notice of demand dated 26th June, 1970, was given to the management.

I have carefully considered the evidence produced by the parties and I see no reason to disbelieve the version of Shri Shamsher Singh, Partner, that the services of the workman were terminated because he damaged the carpet during the course of weaving. The only suggestion given to Shri Shamsher Singh during the course of cross-examination was that the damaged carpet which he had produced in the Court was damaged some time later on but this damage had been imputed to the workman simply to strengthen the case against him. In my opinion there is no substance in the suggestion given to the witness. There is no reason why the management should not have taken action against the workman who actually damaged the carpet and instead falsely impute the damage to an innocent workman against whom the management had no enmity. It would not be out of place to point out that Shri Rajdhar workman says that the management were not even annoyed with him and they turned him out without any reason what so ever. It would have been possible to appreciate the contention of the workman if the practice of the management had leave, not to allow the old workmen to continue in service in order to deprives them of the privileges of permanent workman and to terminate their service on one pretext or another but this is not also the suggestion of the workman. In case Shri Rajdhar workman was working properly then there must have been some reason for terminating his service. Shri Rajdhar was not taking part in any union activities. The management have preserved the damaged carpet and produced it in Court in order to justify their action. There is no reason why Shri Shamsher Singh Partner should have created a false excuse.

During the course of arguments, the main contention raised by the learned representative of the workman was that the order of the management terminating the services of the workman was unjustified because he was not given any charge-sheet nor any opportunity to explain as to why his services be not terminated. It is correct that the workman should have been given an opportunity to show cause but if the management failed to give any charge-sheet to the workman before terminating his services then it became incumbent upon them to prove to the satisfaction of the Court that the action taken by them was justified and in order and this they have been done. In my opinion, therefore, the workman is not entitled to any relief. I give my award accordingly. No order as to costs.

Dated 24th June, 1971

P.N. THUKRAL,
Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 1120, dated Rohtak, the 28th June, 1971

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P.N. THUKRAL

Presiding Officer,
Labour Court, Haryana, Rohtak.

No. 7217-4Lab-71/22039.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s Kapoor Spinning and Weaving Mills (P) Ltd., Faridabad:—

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,
ROHTAK

Reference No. 48 of 1971

between

SHRI VISHAVA NATH C/O TEXTILE MAZDOOR UNION (REGD.), FARIDABAD N.I.T.
AND THE MANAGEMENT OF M/S KAPOOR SPINNING AND WEAVING
MILLS (P) LTD., FARIDABAD

Present:—

Shri Darshan Singh, for the workman.

Shri Vipin Kapoor, for the management.

AWARD

The Governor of Haryana in exercise of the powers conferred on him by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Court, for adjudication, — *vide* Government Gazette Notification No. ID/FD/564-A/10999, dated 15th April, 1971.

Whether the termination of services of Shri Vishava Nath was justified and in order. If not, to what relief is he entitled?

On receipt of the reference usual notices were issued to the parties for 29th May, 1971. On the date fixed Shri Vipin Kumar was present on behalf of the management and he has made a statement that the workman Shri Vishava Nath has settled his dispute with the respondent company and he has received Rs 560 in full and final settlement and nothing is due. The representative of the workman has no instructions from the workman. This means that the workman has settled his dispute with the management. I give my award accordingly.

No order as to costs.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

Dated 22nd June, 1971.

No. 1124, dated Rohtak, the 28th June, 1971

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Haryana,
Rohtak.

B. L. AHUJA,

Commissioner for Labour and Employment and Secy.